

UNITED STATES DISTRICT COURT

FILED

NORTHERN

DISTRICT OF

CALIFORNIA OCT 16 2007

UNITED STATES OF AMERICA

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint/Indictment)

V.

CASE

02-70575 PVT

DINH CANH TRAN

Defendant

CHARGING DISTRICTS
CASE NUMBER:

I understand that charges are pending in

CENTRAL

District of

CALIFORNIAalleging violation of 21 USC § 846

(Title and Section)

and that I have been arrested in this district and

taken before a judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and

(4) Request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- (☒) identity hearing
- (☐) preliminary hearing
- (☒) identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Dinh Tran
Defendant

[Signature]
Defense Counsel

10/16/07

Date